

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TENNESSEE

WESTERN DIVISION

FILED BY kg, D.C.

05 MAY -9 PM 3:19

ROBERT R. INTROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

U.S.A. vs. DERRICK JONES

Docket No. 2:04CR20104-001

Petition on Probation and Supervised Release

COMES NOW FREDDIE MCMASTER II PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Derrick Jones who was placed on supervision by the Honorable Tu M. Pham sitting in the Court at Memphis, TN on the 6th day of May, 2004 who fixed the period of supervision at one (1) year*, and imposed the general terms and conditions theretofore adopted by the court and also imposed special conditions and terms as follows:

The defendant shall pay a \$1,000.00 fine (balance \$1,000.00).

The defendant shall make full financial disclosure to the U.S. Probation Office.

Modified on February 11, 2005, to include conditions that he participate in drug and alcohol testing and treatment as directed by the Probation Office, and that fine payments be set at ten percent (10%) of his monthly gross income to be paid by the end of each month.

*Term of Supervised Release began February 3, 2005.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(PLEASE SEE ATTACHED)

PRAYING THAT THE COURT WILL ORDER a Warrant be issued for Mr. Jones to appear before the Honorable Tu M. Pham to answer charges of violation of Supervised Release.

ORDER OF COURT

Considered and ordered this 9 day
of May, 2005 and ordered filed and
made a part of the records in the above case.

Tu M. Pham
United States Magistrate Judge

I declare under penalty of perjury that the foregoing
is true and correct.

Executed on May 4, 2005
Freddie McMaster II
U.S. Probation Officer

Place: Memphis, Tennessee

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 5-9-05

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

THE DEFENDANT HAS VIOLATED THE FOLLOWING CONDITIONS OF SUPERVISED RELEASE:

The defendant shall refrain from any unlawful use of a controlled substance and the defendant shall not possess a controlled substance.

Mr. Jones used a controlled substance as evidenced by a positive screen for cocaine on February 9, 2005.

The defendant shall participate in drug and alcohol testing and treatment as directed by the Probation Office.

On April 13, 2005, Mr. Jones was referred to the Memphis Alcohol and Drug Council (MADC) to begin drug testing and treatment. He failed to attend scheduled intake appointments on April 19 and 25, 2005, and missed random drug screens on April 18 and 25, 2005.

The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Mr. Jones has failed to submit monthly reports for February, March, and April 2005.

1. Defendant Derrick Jones 3035 Calvert Memphis, TN 38108
2. Docket Number (Year-Sequence-Defendant No.) 2:04CR20104-001
3. District/Office Western District of Tennessee (Memphis)
4. Original Sentence Date 05 06 04
 month day year

(If different than above):

5. Original District/Office _____
6. Original Docket Number (Year-Sequence-Defendant No.) _____
7. List each violation and determine the applicable grade {see §7B1.1}:

<u>Violation{s}</u>	<u>Grade</u>
<u>Usage of a controlled substance (cocaine)</u>	<u>B</u>
<u>Failure to participate in drug testing/treatment</u>	<u>C</u>
<u>Failure to submit monthly report forms</u>	<u>C</u>
_____	_____
_____	_____

8. Most Serious Grade of Violation (see §7B1.1(b)) B
9. Criminal History Category (see §7B1.4(a))74 VI

10. Range of imprisonment (see §7B1.4(a)) 21-27 months*
- *Being originally convicted of a Class A misdemeanor, the statutory maximum term of imprisonment is 12 months; 18 U.S.C. §3583(e)(3).**

11. Sentencing Options for Grade B and C violations Only (Check the appropriate box):
- ☐ (a) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c) (1) provides sentencing options to imprisonment.
- ☐ (b) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c) (2) provides sentencing options to imprisonment.
- ☒ (c) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

**Mail documents to: United States sentencing Commission, 1331 Pennsylvania Avenue, N.W.
 Suite 1400, Washington, D.C., 20004, Attention: Monitoring Unit**



Notice of Distribution

This notice confirms a copy of the document docketed as number 42 in case 2:04-CR-20104 was distributed by fax, mail, or direct printing on May 9, 2005 to the parties listed.

J Patten Brown
FEDERAL PUBLIC DEFENDER
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Ste. 200
Memphis, TN 38103

Kristen Coyne
US DEPARTMENT OF JUSTICE
5722 Integrity Dr.
Millington, TN 38054

Honorable Tu Pham
US DISTRICT COURT